

Message Text

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C O N F I D E N T I A L STATE 171453

E.O. 11652:GDS

TAGS: MARR, RP

SUBJECT:PHILIPPINE BASE NEGOTIATIONS: DEFINITIONS, GRANT
AND USE OF FACILITIES; PRIOR CONSULTATIONS

REFS: A. BAGUIO 58, B. MANILA 9674, USDEL 68,
C. MANILA 9831, USDEL 76

1. DRAFT ARTICLES I, II, AND III SET FORTH REF A AS
MODIFIED BELOW, ARE APPROVED FOR TABLING BY U.S. DELEGATION.
IN ORDER TO EXPEDITE TRANSMISSION OF THIS MESSAGE, EXTEN-
SIVE RATIONALE FOR CHANGES IN REF A TEXT HAS BEEN
OMITTED.

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2. ARTICLE I. TEXT SET FORTH REF A FOR THIS ARTICLE IS APPROVED. HOWEVER, FACILITIES DEFINITION SUBPARA C WOULD BE CLEARER (PARTICULARLY IN COMMAND AND CONTROL CONTEXT) IF WORDS QUOTE CONTAINING LANDS, BUILDINGS AND OTHER PERMANENT CONSTRUCTIONS UNQUOTE WERE DELETED, AND FIRST SENTENCE ALTERED TO READ QUOTE...AREAS, LANDS, AND LOCALITIES... UNQUOTE.

3. ARTICLE II. FOLLOWING REVISED ARTICLE II MAY BE TABLED BY U.S. DELEGATION. ANNEX A SET FORTH REF A WITH ADDITIONS PROPOSED IN REF B IS APPROVED. ATTACHMENT 2 TO ANNEX A SET FORTH REF A IS NOT REPEAT NOT APPROVED. REVISED TEXT OF ARTICLE II FOLLOWS:

QUOTE ARTICLE II
GRANT OF FACILITIES

QUOTE 1. SUBJECT TO THE TERMS OF THIS AGREEMENT, THE PHILIPPINES AUTHORIZES THE UNITED STATES TO USE FOR MILITARY PURPOSES THE FACILITIES ASSOCIATED WITH SUBIC NAVAL BASE AND CLARK AIR BASE WHICH ARE DESIGNATED IN ANNEX A OF THIS AGREEMENT. ATTACHMENT 1 TO ANNEX A CONSISTS OF MAPS FURTHER IDENTIFYING THESE FACILITIES.

QUOTE 2. AN INVENTORY LISTING OF BUILDINGS AND OTHER PERMANENT CONSTRUCTIONS BEING USED BY THE UNITED STATES WILL BE PROVIDED TO THE PHILIPPINES UPON ENTRY INTO FORCE OF THIS AGREEMENT. THIS INVENTORY WILL BE JOINTLY REVIEWED ON AN ANNUAL BASIS IN ORDER TO MAINTAIN ITS ACCURACY. UNQUOTE

4. ARTICLE III. FOLLOWING REVISED ARTICLE III MAY BE TABLED BY U.S. DELEGATION:

QUOTE ARTICLE III
USE OF FACILITIES

QUOTE 1. OPERATIONAL USE OF THE FACILITIES FOR MILITARY COMBAT OPERATIONS WILL REQUIRE PRIOR CONSULTATION WITH THE PHILIPPINES. (FYI: YOU MIGHT WISH TO EMPHASIZE TO CONFIDENTIAL

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PHILS THE REFERENCE TO UN CHARTER IN THE PREAMBLE OF THE U.S. DRAFT. END FYI)

QUOTE 2. ANY INCREASE IN THE NUMBER OR EXTENT OF THE FACILITIES SHALL BE AGREED BY THE MUTUAL DEFENSE BOARD. (FYI: WE CANNOT BE HELD HOSTAGE TO GOP CONSENT FOR DRAWDOWN. END FYI)

QUOTE 3. A DOCUMENT SHOWING THE PERSONNEL STRENGTH LEVELS OF UNITED STATES FORCES STATIONED IN THE PHILIPPINES WILL BE PROVIDED TO THE PHILIPPINES UPON ENTRY INTO FORCE OF THIS AGREEMENT. THIS DOCUMENT WILL BE JOINTLY REVIEWED ON AN ANNUAL BASIS IN ORDER TO MAINTAIN ITS ACCURACY.

QUOTE 4. EXCEPT AS PROVIDED ELSEWHERE IN THIS AGREEMENT OR IN OTHER ARRANGEMENTS BETWEEN THE PARTIES, THE UNITED STATES SHALL BEAR THE COSTS OF OPERATION AND MAINTENANCE OF THE FACILITIES.

QUOTE 5. THE ARMED FORCES OF THE PHILIPPINES MAY USE THE FACILITIES OR OPERATE THEREIN AS MAY BE AGREED BETWEEN THE PARTIES. THE COST OF ANY SUCH USE OR OPERATION SHALL BE BORNE BY THE PHILIPPINES. UNQUOTE.

5. IN RESPONSE TO REF C WE ARE NOT PREPARED TO MOVE FROM "PRIOR CONSULTATIONS" TO "MUTUAL AGREEMENT" ON OPERATIONAL USE OF THE BASES FOR MILITARY COMBAT OPERATIONS. WE ARE, HOWEVER, PREPARED TO LIMIT ESTABLISHMENT OF LONG-RANGE MISSILES TO "MUTUAL AGREEMENT". WE LEAVE TO YOUR DISCRETION WHETHER OR NOT TO ADD SENTENCE TO THIS EFFECT TO PARA 1 OF ARTICLE III AT OUTSET OR TO HOLD IT IN RESERVE UNTIL GOP AGREEMENT IS SECURED ON COMBAT OPERATIONS.

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